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SUBJECT: OMAN HUMAN RIGHTS EVALUATION PLAN

1. FOLLOWING IS DRAFT HUMAN RIGHTS EVALUATION PLAN FOR OMAN. WOULD APPRECIATE EMBASSY COMMENTS, PARTICULARLY ON IDENTIFICATION OF OBJECTIVES BY JUNE 27.

2. BEGIN TEXT:

A. CONDITION OF HUMAN RIGHTS IN OMAN

1. RESPECT FOR THE INTEGRITY OF THE PERSON

OMAN IS A TRADITIONAL ISLAMIC MONARCHY RULED BY A SULTAN. THE PRESENT RULER, SULTAN QABOOS, DEPOSED HIS FATHER IN 1970 AND HAS CORRECTED MANY OF THE MORE REPRESSIVE FEATURES OF THE FORMER REGIME. IN 1975, THE GOVERNMENT BROUGHT A LONG-FESTERING STRUGGLE AGAINST A FOREIGN-SUPPORTED

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RADICAL INSURGENCY IN OMAN'S DHOFAR PROVINCE TO A SUCCESSFUL CONCLUSION. THE INSURGENTS, THE POPULAR FRONT FOR THE LIBERATION OF OMAN (PFLO), WITH A SANCTUARY IN MARXIST SOUTH YEMEN, CONTINUE TO EXIST, HOWEVER, AS A CLANDESTINE POTENTIALLY TERRORIST ORGANIZATION. OMAN HAS NO POLITICAL PARTIES AND NO ELECTED ASSEMBLY.

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OMAN ALSO HAS NO WRITTEN CONSTITUTION BUT THE EXERCISE OF THE SULTAN'S POWER IS CIRCUMSCRIBED TO A CERTAIN EXTENT BY TRADITIONAL AND RELIGIOUS NORMS EMBODIED IN ISLAMIC LAW. THIS FRAMEWORK HAS BEEN AUGMENTED BY THE RECENT PROMULGATION OF A MODERN CRIMINAL CODE, WHICH IS IMPLEMENTED BY POLICE MAGISTRATES WHILE THE ISLAMIC COURTS RETAIN JURISDICTION OVER MATTERS OF PERSONAL STATUS.

IN OMAN, LIFE, LIBERTY AND SECURITY OF THE PERSON ARE GUARANTEED BY LAW. THE OMANI CRIMINAL CODE PROHIBITS THE USE OF TORTURE TO OBTAIN INFORMATION OR A CONFESSION. THERE HAVE BEEN ALLEGATIONS, HOWEVER, THAT GOVERNMENT FORCES EMPLOYED TORTURE AND CRUEL TREATMENT IN SUPPRESSING THE DHOFAR INSURGENCY. THE CRIMINAL CODE IMPOSES PENALTIES FOR ARBITRARY ARREST AND CITIZENS CAN PETITION THE COURTS FOR REMEDIES IN CASES OF VIOLATIONS OF THEIR RIGHTS, EVEN PETITIONING TO THE SULTAN HIMSELF. DETENTION BY LEGAL AUTHORITIES IS REGULATED BY STATUTE. BOTH TRADITIONAL ISLAMIC LAW AND THE NEW CRIMINAL CODE CALL FOR A HEARING AND A FAIR TRIAL OF THE DEFENDENT'S CASE BY EXPERIENCED JUDGES.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES

WHILE THE PRESENT SULTAN HAS MADE REMARKABLE PROGRESS IN DEVELOPING HIS COUNTRY, OMAN REMAINS ESSENTIALLY A TRA-
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DITIONAL SOCIETY. DEMOCRATIC INSTITUTIONS ON A WESTERN MODEL HAVE HARDLY HAD A CHANCE TO EVOLVE IN OMAN. THERE IS NO NATIONAL ASSEMBLY AND THE PRESS IS SYMPATHETIC TO THE GOVERNMENT. FREEDOM OF ASSEMBLY FOR THE PURPOSE OF EXPRESSING INDEPENDENT POLITICAL THOUGHT IS NOT ENCOURAGED, AND WOULD PROBABLY BE SUPPRESSED WERE IT TO REACH SIGNIFICANT PROPORTIONS.

THE ISLAMIC PROHIBITION OF DISCRIMINATION ON THE BASIS OF RACE OR COLOR IS HONORED IN OMAN, WHOSE SOCIETY IS MADE UP OF SEVERAL RACES AND ETHNIC GROUPS OF DISPARATE CULTURAL TRADITIONS. THERE IS EVIDENCE THAT OMANIS OF FAMILIES RETURNING FROM ZANZIBAR (WHERE SOME HAVE BEEN DOMICILED FOR MANY GENERATIONS) ARE TREATED LESS FAVORABLY THAN OTHER OMANIS FOR HIGH GOVERNMENT JOBS OR SECURITY-RELATED POSITIONS, BUT THIS IS A CULTURAL AND NOT A RACIAL PHENOMENON.

WOMEN'S RIGHTS HAVE BEEN SUBJECTED TO LIMITATIONS IMPOSED BY RELIGIOUS AND CULTURAL TRADITIONS AND ATTITUDES. OMANIS ARE GENERALLY FREE TO MOVE ABOUT AT WILL AND TO TRAVEL ABROAD. THE RIGHT TO PROPERTY IS RESPECTED.

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ISLAM IS THE TRADITIONAL AND ESTABLISHED RELIGION OF OMAN BUT THOSE WHO WISH TO PRACTICE OTHER RELIGIONS ARE ALLOWED TO DO SO. FOR MANY YEARS, CHRISTIAN MISSIONARIES HAVE BEEN ACTIVE IN OMAN. THEY HAVE FOUNDED HOSPITALS AND ARE WELL THOUGHT OF IN THE COMMUNITY. THE GOVERNMENT OF OMAN HAS NEVER PUT ANY OBSTACLES IN THE PATH OF THEIR MISSIONARY WORK. ON THE CONTRARY, CHRISTIAN RELIGIOUS SERVICES ARE ORGANIZED AND ARE FREELY ATTENDED.

3. RECENT POLICY TRENDS IN OMAN

THE CURRENT OMANI GOVERNMENT HAS FOLLOWED LIBERAL POLICIES IN THE AREA OF SOCIAL WELFARE, IN PROVIDING
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FOR BASIC NEEDS FOR THE POOR, AND IN SUPPORTING EDUCATION. BECAUSE OF LIMITED OIL PRODUCTION AND THE NEED TO FUND EXTENSIVE MILITARY OPERATIONS AGAINST THE DHOFAR INSURGENCY, FINANCIAL RESOURCES AVAILABLE TO FUND SOCIAL WELFARE PROBLEMS HAVE BEEN LESS THAN IN OTHER GULF STATES. WHILE THE GOVERNMENT OF OMAN HAS GENERALLY FOUND A GOOD COMPROMISE BETWEEN COMPETING SOCIAL AND DEFENSE PRIORITIES, AND HAS SHOWN PARTICULAR CONCERN FOR THE POOR IN THAT PART OF OMAN SUBJECT TO INSURGENCY, WE HOPE THAT SUCCESS IN THE INSURGENCY WILL ALLOW THE SULTANATE TO DEVOTE EVEN MORE RESOURCES TO SOCIAL PROGRAMS.

CORRUPTION IS A PROBLEM IN OMAN. ALLEGATIONS OF ILLICIT PAYMENTS TO GAIN GOVERNMENT CONTRACTS, WHILE VIRTUALLY IMPOSSIBLE FOR US TO DOCUMENT, ARE HEARD WITH SUCH FREQUENCY THAT IT IS IMPOSSIBLE TO DISMISS ALL OF THESE STORIES AS MALICIOUS RUMORS. SINCE FINANCIAL RESOURCES ARE STRETCHED THIN, CORRUPTION IN OMAN DOES TEND TO DIVERT SOME OF THE NATION'S RESOURCES AWAY FROM THE POOR AND TOWARDS THE ELITES.

4. OMANI GOVERNMENT HUMAN RIGHTS POLICY

GIVEN OMAN'S CULTURAL TRADITIONS AND RECENT HISTORY, THE PRESENT GOVERNMENT REPRESENTS A DRAMATIC AND FAVOR-ABLE STEP TOWARD ENLIGHTENED RULE. THE PRESENT GOVERNMENT OF OMAN SUPPORTS DEVELOPMENT AND MODERNIZATION OF OMANI SOCIETY. WITHIN THE CONSTRAINTS OF ITS FINANCIAL RESOURCES, IT HAS FOLLOWED POLICIES DESIGNED TO ACHIEVE THESE GOALS. THE GOVERNMENT IN NO SENSE CONDONES CORRUPTION AND HAS MOVED FORCEFULLY AGAINST CORRUPTION WHEN CLEAR EVIDENCE OF MALFEASANCE WAS AVAILABLE.
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5. INVESTIGATION OF HUMAN RIGHTS VIOLATIONS

OMAN HAS NOT BEEN A FOCUS OF INTERNATIONAL CONCERN FOR HUMAN RIGHTS. WE DO NOT KNOW WHAT THE GOVERNMENT OF OMAN'S REACTION WOULD BE TO IMPARTIAL INTERNATIONAL INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS IN THE SULTANATE.

B. ANALYSIS AND RECOMMENDATIONS

OMAN HAS MADE IMPORTANT PROGRESS IN HUMAN RIGHTS. OUR INFORMATION AND CULTURAL EXCHANGE PROGRAMS ALREADY ENCOURAGE THE DEVELOPMENT OF DEMOCRATIC INSTITUTIONS. WE HAVE ADVISED BOTH AMERICAN BUSINESSMEN OPERATING IN OMAN AND OMANI OFFICIALS OF OUR CONCERN THAT CORRUPTION ERODES SUPPORT FOR THE PRESENT GOVERNMENT. WE HAVE OFFICIALLY SUGGESTED THAT THE END OF THE DHOFAR INSURGENCY SHOULD FREE RESOURCES FROM MILITARY PURPOSES FOR CIVILIAN USES.

MORE EXTREME EFFORTS AGAINST CORRUPTION SUCH AS ATTEMPTING TO INFLUENCE ADVERSELY DECISIONS ON INTERNATIONAL FINANCING FOR OMAN WOULD UNDERCUT OUR FUNDAMENTAL INTEREST IN THE COUNTRY'S ECONOMIC AND SOCIAL DEVELOPMENT AND WOULD PENALIZE THE POORER ELEMENTS OF OMANI SOCIETY. WE SHOULD RATHER REINTENSIFY OUR LONG TERM EFFORTS DESCRIBED ABOVE AND IN ADDITION

-- USE OUR CU PROGRAM TO BRING OMANI LEADERS TO THE U.S. SO THAT THEY CAN OBSERVE OUR DEMOCRATIC INSTITUTIONS IN OPERATION.

-- BEGIN A DIALOGUE WITH OMANI OFFICIALS TO LEARN MORE ABOUT LEGAL PRACTICES AND IDENTIFY THOSE INDIVIDUALS WITH ABILITY TO LIBERALIZE THESE PRACTICES.

-- BROADEN OUR RELATIONSHIP WITH OMAN SINCE IT IS THROUGH

EXAMPLE THAT WE WILL BEST ACHIEVE OUR PURPOSES.

REACTION AMONG OMANI ELITES TO U.S. HUMAN RIGHTS POLICY HAS BEEN GENERALLY POSITIVE. A LOW KEY, LONG TERM EFFORT TO ENCOURAGE LIBERAL EVOLUTION IN OMAN WOULD BE GENERALLY ACCEPTABLE. CHRISTOPHER

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